United Nations S/RES/1923 (2010)

Security Council

Distr.: General
25 May 2010

Resolution 1923 (2010)

Adopted by the Security Council at its 6321st meeting, on 25 May 2010

The Security Council,

Recalling its resolutions and statements of its President concerning Chad, the Central African Republic and the subregion, including resolutions 1769 (2007), 1778 (2007), 1834 (2008), 1861 (2009), 1913 (2010) and 1922 (2010),

Reaffirming its commitment to the sovereignty, unity, territorial integrity and political independence of Chad and the Central African Republic, and to the cause of peace in the region,

Reiterating its concern at the humanitarian and security repercussions in eastern Chad and the north-eastern Central African Republic of the ongoing violence in Darfur,

Concerned at armed activities and banditry in eastern Chad, the north-eastern Central African Republic and western Sudan which threaten the security of the civilian population, the conduct of humanitarian operations in those areas and the stability of those countries, and which result in serious violations of human rights and international humanitarian law,

Welcoming the signature on 15 January 2010 by the Governments of Chad and Sudan of an agreement to normalize their bilateral relations, as well as the deployment by the Governments of Chad and Sudan of a joint force under a joint command along their common border with a view to denying the cross-border movement of armed elements and stemming their criminal activities,

Stressing that a proper settlement of the Darfur issue, including through the Doha peace process, the full implementation of the Sirte and Libreville agreements and the efforts of national political dialogue in Chad and the Central African Republic, will contribute to long-term peace and stability in the region and to the voluntary, secure and sustainable return of refugees and internally displaced persons,

Stressing also the importance of achieving dignified durable solutions for refugees and internally displaced persons, notably voluntary, safe orderly return and sustainable reintegration,

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Reiterating its full support for the efforts of the Secretary-General, the African Union, other international and regional actors to find solutions to armed conflicts in the region,

Reaffirming its resolutions 1325 (2000), 1820 (2008), 1888 (2009) and 1889 (2009) on women and peace and security, 1502 (2003) on the protection of humanitarian and United Nations personnel, 1674 (2006) and 1894 (2009) on the protection of civilians in armed conflicts,

Reaffirming its resolutions 1612 (2005) and 1882 (2009) on children and armed conflict, *taking note* of the reports of the Secretary-General on children and armed conflict in Chad (S/2008/532) and in the Central African Republic (S/2009/66) and the recommendations therein, and *recalling* the conclusions adopted by the Working Groups on Children and Armed Conflict in Chad (S/AC.51/2008/15) and in the Central African Republic (S/AC.51/2009/2), as approved by the Council,

Stressing that the Governments of Chad and the Central African Republic bear primary responsibility for ensuring the security of civilians in their territories, with respect for the rule of law, international law, human rights and international humanitarian law,

Bearing in mind the Convention relating to the Status of Refugees of 28 July 1951 and its additional protocol of 16 December 1966, along with the 1969 Convention of the Organization of African Unity governing the specific aspects of refugee problems in Africa, as well as the African Union Convention of 29 October 2009, on the Protection and Assistance of internally displaced persons in Africa,

Emphasizing the need to respect international refugee law, preserve the civilian and humanitarian nature of the refugee camps and internally displaced persons sites and prevent any recruitment of individuals, including women and children, which might be carried out in or around camps and sites by armed groups,

Commending the creation by the Government of Chad, with the logistical, administrative and technical support of the United Nations Mission in the Central African Republic and Chad (MINURCAT), of the Détachement Intégré de Sécurité (DIS) to contribute to the security of refugees and humanitarian workers in key towns, refugee camps and IDP sites and noting that the DIS provides community policing in these sites and escorts for United Nations personnel and humanitarian workers,

Recognizing the responsibility of the Armée nationale tchadienne (ANT) for border security and external threats and of the Gendarmerie and the National Nomad Guard for area security in eastern Chad,

Taking note that the Government of Chad informed the Secretary-General through a note verbale dated 15 January 2010 that it wished MINURCAT to withdraw from Chad as of 15 March 2010, and the letter of the Permanent Representative of Chad dated 3 March (S/2010/115), informing the President of the Security Council of his Government's reconsideration of its earlier request as well as the consultations conducted between 15 January and 23 April 2010 between the Government of Chad and the United Nations Secretariat,

Emphasizing the need for the orderly reduction of the military component of MINURCAT and the continuation of consolidation of the DIS, of judicial and penal

systems, of human rights protection and of local conflict resolution mechanisms while laying the foundation for their sustainability following the termination of the Mission's mandate,

Having examined the report of the Secretary-General (S/2010/217) of 29 April 2010 (hereinafter referred to as "the Report of the Secretary-General") and its recommendations for the modalities of future presence of MINURCAT,

Determining that the situation in the region of the border between the Sudan, Chad and the Central African Republic constitutes a threat to international peace and security,

1. *Decides* to extend the mandate of MINURCAT until 31 December 2010;

2. *Takes note* of the commitment of the Government of Chad, as recalled in the letter of the Permanent Representative of Chad of 21 May 2010 (S/2010/250), to assume full responsibility for the security and the protection of the civilian population in eastern Chad, including refugees, internally displaced persons, returnees and host communities, with a particular focus on women and children, United Nations and humanitarian personnel and assets, in accordance with its obligations under international humanitarian, human rights and refugee law, and *underscores* that in so doing, the Government of Chad commits to carry out the following tasks:

(i) To ensure the security and protection of civilians in danger, particularly refugees and internally displaced persons;

(ii) To facilitate the delivery of humanitarian aid and the free movement of humanitarian personnel by improving security in eastern Chad;

(iii) To ensure the security and freedom of movement of MINURCAT staff and United Nations and associated personnel;

3. *Notes also* that, in this context, the Government of Chad commits to work towards the achievement of the following benchmarks related to the protection of civilians and humanitarian workers, in accordance with international humanitarian law, as outlined in Security Council resolution 1861 (2009):

(i) Voluntary return and resettlement in secure and sustainable conditions of internally displaced persons;

(ii) Demilitarization of refugee and internally displaced person camps as evidenced by a decrease in arms, violence and human rights abuses;

(iii) Improvement in the capacity of Chadian authorities in eastern Chad, including national law enforcement agencies, the judiciary and the prison system to provide the necessary security for refugees, internally displaced persons, civilians and humanitarian workers with respect for international human rights standards;

4. *Requests* the Government of Chad and the Secretary-General to establish a joint Government of Chad/United Nations high-level Working Group to assess on a monthly basis the situation on the ground with respect to protection of civilians, the measures adopted by the Government of Chad to implement the tasks set out in paragraph 2 and to progress towards meeting the benchmarks set out in paragraph 3, and the capacity of the DIS to provide security inside and around refugee camps and

IDP sites, security escorts and area security, in coordination with Gendarmerie and the Nomad Guard;

5. *Acknowledges* the commitment of the Government of Chad to submit to the Security Council by 31 July 2010 the plan it is preparing to ensure the sustainment of the DIS, post-MINURCAT, working, as necessary, through the high-level joint Working Group;

6. *Decides* that the military component of MINURCAT shall be reduced to 2,200 military personnel (1,900 in Chad and 300 in the Central African Republic) and 25 military liaison officers and *further decides* that MINURCAT should include a maximum of 300 police officers and an appropriate number of civilian personnel;

7. *Calls upon* the Secretary-General to implement the initial withdrawal of the exceeding number of troops by 15 July 2010 and the final withdrawal of the remaining troops beginning on 15 October 2010 and *further calls upon* the Secretary-General to complete withdrawal of all uniformed and civilian MINURCAT components, other than those required for the mission's liquidation, by 31 December 2010;

8. *Decides* that MINURCAT shall have the following mandate in eastern Chad and the north-eastern Central African Republic, in liaison with the United Nations country team and, as appropriate, in liaison with the United Nations Integrated Peacebuilding Office in the Central African Republic (BINUCA) and without prejudice to the mandate of BINUCA:

(i) To select, mentor, monitor, train, advise and facilitate support to elements of the Chadian Détachement integré de sécurité;

(ii) To liaise with the Chadian Government and the Office of the United Nations High Commissioner for Refugees (UNHCR) in support of their efforts to relocate refugee camps which are in close proximity to the border, and to provide to UNHCR, on availability and cost-reimbursable basis, logistical assistance for that purpose;

(iii) To liaise with the national army, the gendarmerie and police forces, the nomad national guard, the judicial authorities and prison officials in Chad and the Central African Republic, the Sudanese Government, the United Nations Mission in Sudan (UNMIS), the African Union/United Nations Hybrid Operation in Darfur (UNAMID), BINUCA, the Multinational Force of the Economic Community of the Central African States in Central African Republic (MICOPAX) and the Community of Sahelo-Saharan States (CEN-SAD) to exchange information on banditry, criminality and emerging threats to humanitarian activities in the region;

(iv) To support the initiatives of national and local authorities in Chad to resolve local tensions and promote local reconciliation efforts, in order to enhance the environment for the return of internally displaced persons;

(v) To contribute to the monitoring and to the promotion and protection of human rights in Chad, with particular attention to sexual and gender-based violence, and to recommend action to the competent authorities, with a view to fighting impunity;

(vi) To support, within its capabilities, efforts aimed at strengthening the capacity of the Government of Chad and civil society through training in international human rights standards, and efforts to put an end to recruitment and use of children by armed groups;

(vii) To assist the Government of Chad in the promotion of the rule of law, including through support for an independent judiciary and a strengthened legal system, in close coordination with United Nations agencies;

9. *Decides further* that, until the start of the final withdrawal of its military personnel on 15 October 2010, MINURCAT shall be authorized to fulfil the following functions within its capabilities and its area of operation in eastern Chad, in liaison with the Government of Chad:

(i) To provide security for United Nations personnel, facilities, installations and equipment and associated personnel;

(ii) To maintain situational awareness in the vicinity of MINURCAT locations;

(iii) To provide escort for United Nations military personnel carrying out enabling support functions;

(iv) To execute operations of a limited character in order to extract United Nations personnel and humanitarian workers in danger;

(v) To provide medical evacuation support for United Nations personnel;

10. *Decides further* that, without prejudice to paragraph 2 above, MINURCAT, acting within its means and capabilities and where possible in consultation with the Government of Chad, shall be authorized to respond to imminent threats of violence to civilians in its immediate vicinity;

11. *Decides further* that, until the start of the final withdrawal of its military personnel on 15 October, MINURCAT shall be authorized to fulfil the following functions within its capabilities and its area of operation in the north-eastern Central African Republic through its military presence in Birao and in liaison with the Government of the Central African Republic:

(i) To contribute to the creation of a more secure environment;

(ii) To execute operations of a limited character in order to extract United Nations personnel and humanitarian workers in danger;

(iii) To protect United Nations personnel, facilities, installations and equipment and to ensure the security and freedom of movement of its staff and United Nations and associated personnel;

12. *Takes note* that MINURCAT will continue to support the DIS, in accordance with paragraphs 64, 65 and 66 of the report of the Secretary-General, and of the Government of Chad's commitment to take full ownership of the DIS;

13. *Welcomes* the intention of the Government of Chad and the United Nations to establish a forum to foster dialogue and collaboration with the view to reach a common understanding of roles and responsibilities on issues relating to protection of civilians, humanitarian access, safety and security arrangements of

humanitarian actors and in order to impact positively on humanitarian and early recovery initiatives;

14. *Takes note* of the letter of the Permanent Representative of Chad of 21 May 2010 (S/2010/250), which recalls the commitment of Chad to sustain the DIS and requests in this context MINURCAT to initiate the construction of the infrastructure referred to in paragraphs 71 and 79 of the report of the Secretary-General, with the expectation that the plan referred in paragraph 5 will provide adequate assurances that the investments being made in the DIS will be sustained post-MINURCAT,

15. *Requests* the Secretary-General and the Governments of Chad and the Central African Republic to cooperate closely throughout the period of deployment of MINURCAT and requests the Government of the Republic of Chad to fully respect all provisions of the Agreement on the Status of MINURCAT of 21 March 2008 and its amendment of 15 October 2009, and in particular to ensure full freedom of movement of MINURCAT, its members and its contractors as well as of their vehicles and aircraft, and to grant exemptions from all taxes, fees, charges and other duties as provided under the Agreement and its Amendment, for the whole duration of the mandate of MINURCAT but also until its liquidation and the final departure of all its military and civilian personnel from Chad;

16. *Urges* all the Member States, particularly the States bordering Chad and the Central African Republic, to facilitate during the above-mentioned period the withdrawal from Chad and of the Central African Republic, without obstacles or delay, of all personnel, equipment, provisions, supplies and other goods, including vehicles, aircraft and spare parts of MINURCAT;

17. *Underscores* the importance that the military concept of operations and rules of engagement be updated and fully in line with the provisions of this resolution, and requests the Secretary-General to report on them to the Security Council and Troop-Contributing Countries;

18. *Encourages* the donor community to sustain its efforts to address the humanitarian, reconstruction and development needs of Chad and the Central African Republic;

19. *Encourages also* the respective Governments of the Sudan, Chad and the Central African Republic to ensure that their territories are not used to undermine the sovereignty of others, and to cooperate with a view to putting an end to the activities of armed groups in the region;

20. *Welcomes* the N'Djamena agreement of 15 January 2010 on the normalization of relations between Sudan and Chad and previous related agreements and encourages active cooperation for their continued implementation, *encourages* the Government of Chad to continue talks with the armed groups; *demands* that armed groups cease violence immediately and *urges* all parties in Chad and the Central African Republic, respectively, to respect and implement the Sirte agreement of 25 October 2007 and the comprehensive peace agreement signed in Libreville on 21 June 2008;

21. *Encourages* the authorities and political stakeholders in Chad and the Central African Republic to continue to pursue their efforts of national dialogue, with respect for their constitutional frameworks and especially:

(i) *Emphasizes* the importance of the political agreement for the reinforcement of the democratic process in Chad signed in N'Djamena on 13 August 2007, *encourages* the parties to continue with its implementation and *welcomes* the electoral timetable published by the Independent National Electoral Commission;

(ii) *Calls upon* the Government and all political stakeholders of the Central African Republic to further implement the outcome of the Inclusive Political Dialogue of December 2008, including by successfully completing the Disarmament, Demobilization and Reintegration (DDR) process and *stresses the need for* a clear electoral timetable;

22. *Reaffirms* the obligation of all parties to implement fully the rules and principles of international humanitarian law, particularly those regarding the protection of humanitarian personnel, and furthermore requests all the parties involved to provide humanitarian personnel with immediate, free and unimpeded access to all persons in need of assistance, in accordance with applicable international law;

23. *Encourages* MINURCAT and the United Nations country team to continue to assist the Government to prevent the recruitment of refugees and children by armed groups and to maintain the civilian nature of refugee camps and internally displaced person sites, in coordination with DIS and the humanitarian community;

24. *Takes note* of the measures already undertaken by the authorities of Chad to put an end to the recruitment and use of children by armed groups, *encourages* them to pursue their cooperation with United Nations bodies in this regard, particularly UNICEF, and *calls on* all the parties involved to ensure that children are protected;

25. *Requests* the Secretary-General to continue to keep the Security Council regularly informed and requests him to provide reports by 31 July 2010, 15 October 2010 and 15 December 2010 on the security and humanitarian situation, including movements of refugees and internally displaced persons in eastern Chad and the north-eastern Central African Republic, on the progress in the implementation of the relevant agreements, on the progress towards the fulfilment by the Government of Chad of the tasks and benchmarks set out in paragraphs 2 and 3 above, including on the measures adopted in response to possible shortcomings identified by the joint high-level Working Group referred to in paragraph 4, and on the implementation of the mandate of MINURCAT and *stresses* that it will monitor closely the relevance of the mandate of MINURCAT and review it if necessary;

26. *Further requests* the Secretary-General in his July report to provide an assessment on international and regional options for the Central African Republic, based on his evaluation of the consequences of MINURCAT's departure;

27. *Also requests* the Secretary-General to provide an assessment in his December report on lessons learned in the context of MINURCAT;

28. *Decides* to remain actively seized of the matter.